

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

**UNIVERSITY OF TENNESSEE RESEARCH
FOUNDATION AND SAINT MATTHEW
RESEARCH, LLC,**

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

Civil Action No. 3:17-cv-00184-HSM-CCS

JURY TRIAL DEMANDED

JOINT STIPULATION TO DISMISS

WHEREAS, Plaintiffs University of Tennessee Research Foundation and Saint Matthew Research, LLC (collectively, “Plaintiffs”), and Defendant Microsoft Corporation (“Defendant”) notify this Court that they have resolved Plaintiffs’ claims for relief against Defendant asserted in this case.

NOW, THEREFORE, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and Defendant, through their attorneys of record, hereby stipulate to the dismissal of Plaintiffs’ claims for relief against Defendant with prejudice and Defendant’s defenses against Plaintiffs without prejudice, and with all attorneys’ fees, costs of court, and expenses borne by the party incurring same.

Dated: October 16, 2017

Respectfully submitted,

s/Daniel P. Hipkind

WAYNE A. RITCHIE II (BPR 013936)

JAMES R. STOVALL (BPR #032512)

RITCHIE, DILLARD, DAVIES

& JOHNSON, P.C.

606 West Main Avenue, Suite 300

P.O. Box 1126

Knoxville, Tennessee 37901-1126

(865) 637-0661

E-mail: war@rddjlaw.com

E-mail: jstovall@rddjlaw.com

OF COUNSEL:

Dorian S. Berger (CA SB No. 264424)

Admitted pro hac vice

Daniel P. Hipkind (CA SB No. 266763)

Admitted pro hac vice

Eric B. Hanson (CA SB No. 254570)

Admitted pro hac vice

BERGER & HIPSKIND LLP

1880 Century Park East, Ste. 815

Los Angeles, CA 95047

Telephone: 323-886-3430

Facsimile: 323-978-5508

E-mail: dsb@bergerhipskind.com

E-mail: dph@bergerhipskind.com

E-mail: ebh@bergerhipskind.com

Attorneys for Plaintiffs University of

Tennessee Research Foundation and Saint

Matthew Research, LLC

/s/ Michael A. Valek

Lindsey M. Collins
Matthew J. Evans
PAINE BICKERS LLP
900 S. Gay Street
2200 Riverview Tower
Knoxville, TN 37902
lmc@painebickers.com
mje@painetar.com
Telephone: (865) 599-0682
Facsimile: (865) 521-7441

Mark N. Reiter
Admitted pro hac vice
Michael A. Valek
Admitted pro hac vice
Tracey B. Davies
Admitted pro hac vice
GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, TX 75201-6912
mreiter@gibsondunn.com
mvalek@gibsondunn.com
tdavies@gibsondunn.com
Telephone: (214) 698-3100
Facsimile: (214) 571-2900

Neema Jalali
Admitted pro hac vice
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
njalali@gibsondunn.com
Telephone: (415) 393-8200
Facsimile: (415) 393-8306

Attorneys for Defendant Microsoft Corp.

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2017, a copy of the foregoing was filed electronically using the Court's ECF system, which will automatically send notice of this filing to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's ECF system.

/s/ Daniel P. Hipskind

Daniel P. Hipskind (CA SB No. 266763)

Admitted pro hac vice

BERGER & HIPSKIND LLP

1880 Century Park East, Ste. 815

Los Angeles, CA 95047

Telephone: 323-886-3430

Facsimile: 323-978-5508

E-mail: dph@bergerhipskind.com

*Attorneys for Plaintiffs University of
Tennessee Research Foundation and
Saint Matthew Research, LLC*